

DEC 29 2004

Atty Docket No. 019433-000620US

PTO FAX NO.: 1-703-872-9306

ATTENTION: Examiner Wood, Elizabeth D.

Group Art Unit 1755

OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER Wood, Elizabeth D.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following documents in re Application of MICHAEL ZIMMERMANN
Application No. 10/772,857, filed February 4, 2004
for MAGNESIUM AMMONIUM PHOSPHATE CEMENT COMPOSITION
are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Number of pages being transmitted, including this page: 7

Dated: 29 December 2004


Nancy Pizzo

Documents Attached

1. SB/21 - Transmittal Form (1 pg)
2. SB/17 - Fee Transmittal Form (1 pg)
3. SB/22 - Petition for Extn. of Time - 1 month (1 pg)
4. Amendment (2 pgs)
5. Terminal Disclaimer (1 pg)

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TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
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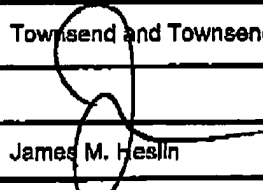
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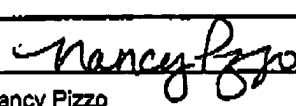
DEC 29 2004

PTO/SB/21 (09-04)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/772,857
	Filing Date	February 4, 2004
	First Named Inventor	ZIMMERMANN, MICHAEL
	Art Unit	1755
	Examiner Name	Wood, Elizabeth D.
Total Number of Pages in This Submission	Attorney Docket Number	019433-000620US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
<input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)		
<input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	James M. Heslin		
Date	29 December 2004	Reg. No.	29,541

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facs/mile transmitted to the Patent and Trademark Office on the stated below.			
Fax No. (703) 872-9306			
Signature			
Typed or printed name	Nancy Pizzo	Date	29 December 2004

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PTO/SB/17 (10-04)

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 125

Complete if Known

Application Number 10/772,857
 Filing Date February 4, 2004
 First Named Inventor ZIMMERMANN, MICHAEL
 Examiner Name Wood, Elizabeth D.
 Art Unit 1755
 Attorney Docket No. 019433-000620US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	790	2001 395 Utility filing fee	
		1002	350	2002 175 Design filing fee	
		1003	550	2003 275 Plant filing fee	
		1004	790	2004 385 Reissue filing fee	
		1005	180	2005 80 Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	** =		
Independent Claims	** =		
Multiple Dependent	X		

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1202	18	2202 8 Claims in excess of 20
		1201	88	2201 44 Independent claims in excess of 5
		1203	300	2203 150 Multiple dependent claim, if not paid
		1204	88	2204 44 ** Reissue independent claims over original patent
		1205	18	2205 8 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

** or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051 65 Surcharge - late filing fee or oath	
		1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
		1053	130	1053 120 Non-English specification	
		1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
		1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
		1251	120	2251 80 Extension for reply within first month	80
		1252	430	2252 215 Extension for reply within second month	
		1253	980	2253 490 Extension for reply within third month	
		1254	1,530	2254 765 Extension for reply within fourth month	
		1255	2,080	2255 1,040 Extension for reply within fifth month	
		1401	340	2401 170 Notice of Appeal	
		1402	340	2402 170 Filing a brief in support of an appeal	
		1403	300	2403 150 Request for oral hearing	
		1451	1,510	1451 1,510 Petition to institute a public use proceeding	
		1452	110	2452 55 Petition to revive - unavoidable	
		1453	1,330	2453 665 Petition to revive - unintentional	
		1501	1,370	2501 685 Utility issue fee (or reissue)	
		1502	490	2502 245 Design issue fee	
		1503	680	2503 320 Plant issue fee	
		1460	130	1460 130 Petitions to the Commissioner	
		1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
		1808	180	1808 180 Submission of Information Disclosure Stmt	
		8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
		1809	790	2809 395 Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	790	2810 395 For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	790	2801 395 Request for Continued Examination (RCE)	
		1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify) Terminal Disclaimer

85

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$)125

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) James M. Haslin Registration No. (Attorney/Agent) 29,541 Telephone 650-326-2400
 Signature Date 28 December 2004

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PATENT

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on 29 DECEMBER 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Nancy Pizz
Nancy Pizz

Docket No.: 019433-000620US
Client Ref. No.: Sanatis #1 US CON

Customer No. 20350

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHAEL ZIMMERMANN

Application No.: 10/772,857

Filed: February 4, 2004

For: MAGNESIUM AMMONIUM
PHOSPHATE CEMENT COMPOSITION

Confirmation No. 6533

Examiner: Wood, Elizabeth D.

Art Unit: 1755

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the office action mailed on September 10, 2004, Applicants submit a Terminal Disclaimer over prior commonly assigned patent no. 6,692,563. It is believe that the Terminal Disclaimer overcomes the only rejection and that the application is now in condition for allowance.

Applicant also notes the following in response to questions raised in the Office Action. First, the application is complete with respect to referenced serial nos. and applicant is not aware of any errors needing correction. The information disclosure included only one page (page 3) which referenced art. That page has been acknowledged. There is no evidence to be submitted under 37 C.F.R. § 1.131 or 1.132.

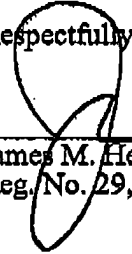
Application No. 10,772,857
Amendment fax-filed on 29 December 2004
Response to Office Action of 10 September 2004

PATENT

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



James M. Heslin
Reg. No. 29,541

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